



# Department of Planning, Housing, & Community Development

Mayor, Richard C. David  
Director, Jennie Skeadas-Sherry

## ***STAFF REPORT***

TO: Planning Commission Members  
FROM: Planning Housing and Community Development  
DATE: June 27, 2014  
SUBJECT: 247 Robinson Street; Series A Site Plan Review  
TAX ID #: 145.77-3-16 and 145.78-1-30  
CASE: 2014-30

---

### **Updated 7/14/2014**

The Planning Commission referred this project to the Traffic Board to determine if additional pedestrian safety measures were necessary for this proposal. The Board should have comments by the July 16<sup>th</sup> meeting. After hearing comments at the public hearing staff recommends the following conditions of approval:

1. The property owner shall be responsible for collecting litter and debris from site and adjoining rights-of-way at least once a day.
2. The stripping for the accessible parking space shall be relocated to be closest to the front building wall.
3. The applicant shall submit a trash management plan for review and approval by the Planning Department. The plan shall include provisions for the storage of trash and recycling and a pick up schedule by a private trash management company. The building plan sets shall include specifications for the proposed dumpster enclosure that meeting the requirements of Section 410.56 of the Binghamton Zoning Code.
4. A final lighting plan shall be submitted for review and approval by the Planning Department. The lighting plan shall meet the provisions of Section 410.24J of the Binghamton Zoning Code.

The Planning Commission may impose additional conditions.

### **A. REVIEW REQUESTED**

This request would provide for the establishment of a neighborhood retail convenience outlet within an existing 2,520 square foot one-story commercial building. The proposed store, which would offer grocery and convenience items, would operate 7 days a week between the hours of 6:00am -10:00pm. The applicant approximates that 200 customers would visit the site daily. Two employees are proposed.

The site is located within the C-4 Neighborhood Commercial District. The site was previously occupied by a US Post Office. While a neighborhood retail convenience outlet is a permitted use in the C-4 District, Site Plan approval is required.

## **B. STANDARDS FOR APPROVAL OF SITE PLANS**

Listed below are the *Standards for approval of site plans* found in Article IX of the Zoning Ordinance. In reviewing a Series A Site Plan application, the Planning Commission is guided by the existing characteristics and conditions of the site, its surroundings, and the particular requirements of the Applicant. Elements of concern include, but are not limited to the following:

- Movement of vehicles and people
- Public safety
- Off-street parking and service
- Lot size, density, setbacks, building size, coverage and height
- Landscaping, site drainage, buffering, views or visual character
- Signs, site lighting
- Operational characteristics
- Architectural features, materials and colors
- Compatibility with general character of neighborhood
- Other considerations that may reasonably be related to health, safety, and general welfare

## **B. SITE PLAN COMMENTS**

Currently, almost the entire frontage of the site along Robinson Street has an open curb cut where 5 parking spaces back out into the street. The proposed site plan would reduce the curb opening along Robinson to 24 feet and reorient the parking such that the maneuvering aisle is located on the site and not in the street. Further, the proposed site plan illustrates the removal of asphalt and the restoration of grass within the utility strips. Staff recommends that the applicant request street trees from the City's Parks Department. Overall, the proposed site plan would result in fewer conflicts between vehicles entering and exiting the site and those travelling along Robinson Street and would improve infiltration and aesthetics within the public right of way.

The following issues were identified and should be addressed by the applicant:

The proposed accessible parking space proposed at the east side of the building does not technically meet requirements because the accessibility aisle would be partially located in the sidewalk. Staff recommends that the accessible space be relocated to the space immediate adjacent to the south side (front) of the building and the adjacent space be striped as the accessibility aisle.

The site plan and submitted case materials do not include provisions for trash storage or a trash management plan. If a dumpster is proposed or deemed necessary by the Commission, the site plan should be revised to illustrate the dumpster location and enclosure consistent with Zoning Code Section 410-56.

The site plan and submitted case materials do not include provisions for exterior lighting. At a minimum, wall pack lights along the building façade should be installed to illuminate the parking area.

A petition in opposition to this project was submitted. While the proposed use is permitted by right at this location, the Planning Commission can consider if there are site plan elements, other than those mentioned above, that can be included in the project to address the concerns raised in the petition.

### **C. SITE REVIEW**

The subject property is located at the north east corner of Robinson and Bigelow Streets. It is improved with a one-story commercial building. It is adjoined by residential structures to the west and north, a mixed use building to the east and a church to the south.

### **D. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY**

206 Robinson Street – On August 29, 2014 a Determination of No Historical Significance from the Commission on Architecture and Urban Design (CAUD) was issued to allow the demolition of a residential building located on the site. A Series A Site Plan applicant for a new parking lot is currently pending before the Planning Commission

278 Robinson Street – On March 19, 2008 the Planning Commission approved a Special Use Permit, Series A Site Plan Review, to build a 1260 square foot addition to the existing Lourdes Primary Care and Walk-In in a C-4, Neighborhood Commercial District

### **E. ENVIRONMENTAL IMPACT**

The applicant's proposal, which involves the reuse of an existing building, is a SEQR **Type II** Action. No further environmental action is required.

### **F. STAFF FINDINGS**

Planning Staff has the following findings:

- 1) The Planning Commission must determine if the requirements of Section 410-47 for a Series A Site Plan Review have been met.

### **J. ENCLOSURES**

Enclosed is a copy of the site plan, site photographs, application and Shade Tree Commission comments.